

TO MARCIA M WALCROW

DATE 7/31/08

FROM GUANGLI Fingard Corrae

SBI 0018000

RE updated. This is my opportunity to raise issues about the  
STATE OF DELAWARE Kent County Court System) AND Superior Court AND THE  
SUPREME-COURT ALLIANCE WILL CONSIDER AND AFFIRM WITH THE SUPERIOR COURT  
UNDER THIS CASE NUMBER 020513122 000006146 - VIGOR 0709801

NOW

SENTENCE  
order

OCTOBER 26<sup>th</sup>

under VIOLATION OF Probation, SENTENCE order  
COURT gave Corrae A ONE YEAR SENTENCING A 12 MONTH AND OUT OF  
THE 12 MONTH SENTENCE, you 24 days good time) NOW Beyond THIS  
SENTENCING Corrae is been Held Elsey in the Department of Corrections  
ALL THE COURT KNOW HOW TO SAY YOUR CASE HAVE BEEN DENIED OR DISMISS—  
THE STATE OF DELAWARE WILL ABUSE THE SYSTEM ANY TIME THEY WANT TO

question

LET LOCK HERE! - Hold AT Sup. Supervision Level (5)

question

- UNTIL SPACE IS AVAILABLE AT supervision Level 4 CREST

NOW THIS IS MY ATTENTION TO YOU

NOW Corrae WANTED TO GO TO THE PROGRAM THE Department of  
Corrections THEY WILL - Hold YOU ANY KNOW THAT NOW Corrae HAS  
WANTED AT THE Department of Corrections FOR (41 days) PREVIOUSLY  
CREDIT FOR TIME PREVIOUSLY SERVED - NOW QUESTION IF THE  
SUPERIOR COURT - CRIMINAL DOCKET DOCKET STREET SAID ON - PREVIOUSLY  
ORDER OF OCTOBER 26, 2007 COURT ORDER APPROVED ORDER  
DOCKET TIME THE COURT, HAS CREDIT FOR TIME PREVIOUSLY SERVED

question

WHY THE Department of Corrections CANNOT CREDIT Corrae TIME  
PREVIOUSLY SERVED) GAVE Corrae THAT CREDIT

2  
 Now my question to you is. Correa lost His 61 days For Time Served  
 Previously Served) Let look AT A ONE year Sentence) THAT 12 month  
 SENTENCE! IF A Court order TO do 12 month Sentence For 1 year  
 SENTENCE) THE Department of Correction gave you For one year  
 24 day good time) THAT WILL Take it to 11 month SENTENCE  
 Oct. Nov Dec Jan Feb March April May June July Aug Sept October 2008  
 From October 11 2007 THAT is A one year Sentence) ✓

Now THIS is A Approve order From October 11 2007  
 AS you CAN SEE ON IN THE Superior Court OF THE STATE OF Delaware  
 IN And For Kent Court.

Question  
 Here:

THIS is How the Department of Corrections Department of Record  
 made A mistake) Some ASS WHOLE From THE Department of Correctional  
 was Confuse! THE Court HAS put in THE original Sentence order.  
 0205013182 0207006146) VIKOB-07-098801. ON IDENT THEFT  
 OF October 20, 2007 Approver order. AS I CAN say IN ASS HOLD TOOK OUT  
 THE original ACTION Number out OF THE STATE NATIONWIDE Computer  
 System) Forged THE Original Document in THE STATE NATIONWIDE STATE  
 Computer System TO 12/05/07 SO Correa CAN do 61 day more! And THAT  
 is total wrong Correa try to Explode it in A STATE or Superior Court  
 writ OF Habeas Corpus which THE law Library HAS TOLD ME TO FILE  
 And Argue About my (good time) And that Petition was DENIAL  
 Hold AT Supervision (S) - until space is Available) AT  
 Supervision A + Supervision Level 4 CREST

Here

3  
 Now question on the last page you will (see) question here  
 about the Department of Justice Kent Count  
 102 West Water Street Dover Delaware 19904 and that  
 Petitioner Joseph R. Biden III Attorney General Explains  
 in his Petition to Judge William Williams Jr on —  
 October 11, 2007 Explains about TASC and Crest Program

question is Hold at Supervision (5) - until space is available at  
 Here supervision level 14 (CREST)

if the Department of Correction Record  
 Record Department Motion For Credit For the previously  
 served under this case number 0205013182 0607006146  
 V1106-57-098801

Message  
 SENT

the Public Defender names Mrs Sandra W. Dean, Esquire  
 Please call her she call the Department of Corrections trying  
 to get me Release Address Assistant Public Defender  
 Public Defender's Office the Sikes Building  
 45 the Green Del 19901

PLEASE CALL Mrs SANDRA W DEAN  
 (302) 739-4476

THE THIRD CIRCUIT I need you to Spete in  
 to get me Release Time Server

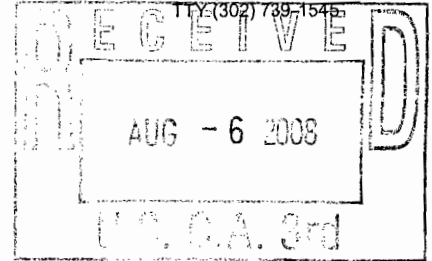
I need your Help please  
 get me out I don't have any other  
 choices AT ALL



JOSEPH R. BIDEN, III  
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE  
KENT COUNTY  
102 WEST WATER STREET  
DOVER, DELAWARE 19904

CIVIL DIVISION (302) 739-7641  
FAX (302) 739-7652  
CRIMINAL DIVISION (302) 739-4211  
FAX (302) 739-6727  
TTY (302) 739-1545



April 15, 2008

The Honorable Andrea Maybee Freud  
Commissioner - Superior Court  
38 The Green  
Dover, DE 19901  
c/o Kent County Prothonotary

**RE: STATE V. CORREA**  
**Cr. I.D. No. 0205013182 & 0607006146**

Dear Commissioner Freud:

Please accept this letter as the State's response to defendant Guango Correa's Motion for Post Conviction Relief filed pursuant to Superior Court Criminal Rule 61 in the above case.

The defendant has raised two allegations in support of his Motion. First, the defendant alleges that he had a "lack of [,] communication" with his probation officer resulting in a Crest sentence. He further states in Ground One that he "did not have a fair chance to explain the situation". He states that he can't do the Crest Program for one year but can do it for six months. Second, he argues that TASC and his probation officer were "aware of the situation" and waited a few months to arrest the defendant. He indicates that his arrest was based on "false information".

A review of the Motion clearly demonstrates that the defendant has not established a need for the Court to hold a hearing on these issues. It appears that the defendant was sentenced by Judge Witham on October 11, 2007. The sentence included a one year commitment to the Crest Program. It does not appear that this sentence was illegal. Further, it is difficult to understand what the defendant's basis is for this Motion.

*ASK you can see Correa was Arrest ON October 11, 2007  
Why Cant the Court understand But if I Show ON ME  
STATUS Sheet Correa was Submit to the Department of Probation & Parole*

Petitioner has not alleged any cause for his default. Moreover, the Court concludes that Petitioner cannot demonstrate any prejudice stemming from the alleged erroneous alias. The record reveals that the State Bureau of Identification removed all references to David E. Jones from Petitioner's criminal history in 2005,<sup>4</sup> and Petitioner's instant challenge involves the VOP II sentence he received in July 2006. Therefore, Petitioner cannot demonstrate how the improper David E. Jones alias actually affected the VOP II sentence.

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petition for a writ of habeas corpus, and second, when he appealed the Superior Court's denial of a Rule 35(b) motion. For example, in Correa v. State, No.654,2006, Order (Del. Mar. 15, 2007), the Delaware Supreme Court refused to review the merits of the claim because it was improperly raised in a petition for the writ of habeas corpus. In Correa v. State, 940 A.2d 945 (Table), 2007 WL 4110622 (Del. Nov. 20, 2007), the Delaware Supreme Court refused the review the merits of the claim because the Rule 35(b) motion was repetitive. However, a petitioner does not exhaust state remedies by presenting a claim in an improper procedural manner. See, e.g., Nickerson v. Snyder, 2002 WL 237869, at \*2 (Feb. 1, 2002); Castille, 489 U.S. at 351. Therefore, in these circumstances, Petitioner did not exhaust state remedies by presenting his improper alias claim to the Delaware Supreme Court during his state habeas appeal or during his Rule 35(b) appeal.

The Court also notes that, at this juncture, Petitioner cannot return to the Delaware State Courts to litigate the improper alias issue because the appeal periods for all of the Superior Court's decisions regarding the VOP II sentence have expired. Additionally, if Petitioner filed a new Rule 61 motion raising this claim, it would be denied as untimely under Rule 61(i)(1), as procedurally defaulted under Rule 61(i)(3), and as formerly adjudicated under Rule 61(i)(4). See e.g. Bright v. Snyder, 218 F. Supp. 2d 573, 580 (D. Del. 2002).

<sup>4</sup>See Correa v. State, 2007 WL 1518967 (Del. Super. Ct. May 22, 2007).

SUPERIOR COURT CRIMINAL DOCKET  
( as of 06/27/2008 )

Page 1

State of Delaware v. GUANGO F CORREA  
 State's Atty: GREGORY R BABOWAL , Esq.  
 Defense Atty: WILLIAM T DEELY , Esq.

DOB: 03/04/1965

AKA: DAVID E JONES  
 DAVID E JONES  
 GUANGO CORREA  
 GUANGO R CORREA  
 ROBERT WILLIAMS  
 ROBERT F CORREA  
 JUAN CORREA  
 GUANGO F CORREAN  
 GUANGO F GORRIEA  
 BOBBY CORREA

Assigned Judge:

## Charges:

Count	DUC#	Crim.Action#	Description	Dispo.	Dispo. Date
001	0607006146	IK06070995	THEFT SENIOR	NOLP	08/09/2006
002	0607006146	IK06070996	THEFT SENIOR	NOLP	08/09/2006
003	0607006146	IK06070997	THEFT SENIOR	NOLP	08/09/2006
004	0607006146	IK06070998	THEFT SENIOR	NOLP	08/09/2006
005	0607006146	IK06070999	THEFT SENIOR	NOLP	08/09/2006
006	0607006146	IK06071000	THEFT SENIOR	NOLP	08/09/2006
007	0607006146	IK06071001	THEFT SENIOR	NOLP	08/09/2006
008	0607006146	IK06071002	THEFT SENIOR	NOLP	08/09/2006
009	0607006146	IK06071003	THEFT SENIOR	NOLP	08/09/2006
010	0607006146	IK06071004	FORGERY 2ND	NOLP	08/09/2006
011	0607006146	IK06071005	FORGERY 2ND	NOLP	08/09/2006
012	0607006146	IK06071006	FORGERY 2ND	NOLP	08/09/2006
013	0607006146	IK06071007	FORGERY 2ND	NOLP	08/09/2006
014	0607006146	IK06071008	FORGERY 2ND	NOLP	08/09/2006
015	0607006146	IK06071009	FORGERY 2ND	NOLP	08/09/2006
016	0607006146	IK06071010	FORGERY 2ND	NOLP	08/09/2006
017	0607006146	IK06071011	FORGERY 2ND	NOLP	08/09/2006
018	0607006146	IK06071012	FORGERY 2ND	NOLP	08/09/2006
019	0607006146	IK06070988	IDENT THEFT >62	GLTY	08/09/2006
	0607006146	VK0607098801	VIOL O/PROBATN	VF	10/26/2007
	0607006146	VK0607098802	VIOL O/PROBATN	VF	02/25/2008
020	0607006146	IK06070989	THEFT SENIOR	NOLP	08/09/2006
021	0607006146	IK06070990	THEFT SENIOR	NOLP	08/09/2006
022	0607006146	IK06070991	THEFT SENIOR	NOLP	08/09/2006
023	0607006146	IK06070992	FORGERY 2ND	NOLP	08/09/2006
024	0607006146	IK06070993	FORGERY 2ND	NOLP	08/09/2006
025	0607006146	IK06070994	ATT THEFT \$1000	NOLP	08/09/2006

No.	Event Date	Event	Judge

CASE  
IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR KENT COUNTY

vs.

GUANGO F CORREA

Alias: See attached list of alias names.

DOB: 03/04/1965

SBI: 00180807

CASE NUMBER:

0205013182

0607006146

CRIMINAL ACTION NUMBER:

VK06-07-0988-01

VIOL O/PROBATN

ORIG. CHARGE:

IDENT THEFT >62(F)

VK02-05-0782-03

VIOL O/PROBATN

ORIG. CHARGE:

ASSAULT 2ND(F)

COMMITMENT

VIOLATION OF PROBATION SENTENCE ORDER

NOW THIS 26TH DAY OF OCTOBER, 2007, IT IS THE ORDER OF THE COURT THAT: The defendant is found in violation. Defendant is sentenced as follows:

AS TO VK06-07-0988-01: TIS 11 Del.C.0854000aFD  
VIOL O/PROBATN - FOUND IN VIOLATION

Effective October 11, 2007 the defendant is sentenced as follows:

- The defendant is placed in the custody of the Department of Correction for 8 year(s) at supervision level 5

- Suspended for 1 year(s) at supervision level 4 CREST

- Upon successful completion at supervision level 4 CREST

- Balance of sentence is suspended for 1 year(s) supervision level 3 CREST AFTERCARE

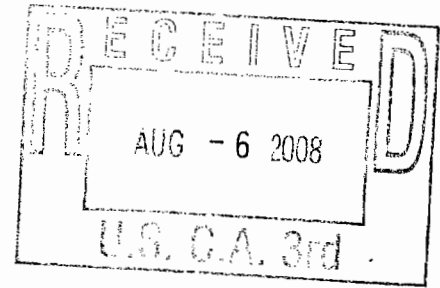
\*\*APPROVED ORDER\*\*

1

October 26, 2007 09:10

06/18/2008

Guango Correa 00180807



Mr. Correa,

Our hands in the records Office are tied when it comes to the effective date of your sentence. That is the date that Judge James T Vaughn Jr. Ordered as the effective date of your sentence. If you want it to be changed you are going to have to file a Habeus Corpus. The issue is one that we have no control over. It is between you and your Judge.

J Cabana

  
Correctional Records Clerk

Del 5, 2007 12/05/07

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1/M BURBY CORRE  
SBI# 0618587 UNIT C  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
MYRNA, DELAWARE 19977  
LOW OCCUPANCY WITH  
PEOPLE MAIL

U.S.M.S.  
X-RAY by this After July 17, 2008

Mrs. MARCIA M. WALDRON  
UNITED STATES COURT OF APPEALS  
For MICHIGAN CIRCUIT  
21400 UNITED STATES COURT HOUSE  
601 MAR 14TH STREET  
FL 1600 1910611792

U.S.M.S.  
X-RAY

THE DEPT. OF CORRECTIONS ... IS WRONG EFFECTIVE DATE AS OF  
12/15/07 IS THE WRONG EFFECTIVE DATE. NOTICE WOULD BE  
COMPUTER SYSTEM. OCTOBER 11, 2007 IS THE CORRECT EFFECTIVE DATE.  
THIS LETTER WAS SENT BY AN INMATE WHO  
IS IN STATE PRISON. THE STATE IS NOT  
RESPONSIBLE FOR DEETS INCURRED, OR  
FOR THE CONTENTS OF THE LETTER.  
THE COURT SYSTEM LEFT CORRECTIONS  
IS DOING NOTHING ABOUT  
CORRECTIONS SHOULD BE RELEASED  
CORRECTIONS

OFFICE OF THE CLERK

MARCIA M. WALDRON  
CLERK

**UNITED STATES COURT OF APPEALS**

FOR THE THIRD CIRCUIT  
21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA 19106-1790

TELEPHONE  
215-597-2995

August 8, 2008

Peter T. Dalleo, Clerk  
United States District Court  
J. Caleb Boggs Federal Building  
Lockbox 18  
844 King Street  
Wilmington, DE 19801-3570

Re: Correa v. Carroll  
D. Del. No. (07-cv-00151)

Dear Mr. Dalleo:

Pursuant to Rule 4(d), Federal Rules of Appellate Procedure, and Rule 3.4, Third Circuit Local Appellate Rules, we are forwarding the attached notice of appeal from the District Court order entered 5/9/08 which was filed with this office in error. See Rule 3(a)(1), Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. **The notice was placed in prison mail on 7/31/08 and should be docketed as of that date.**

This document is being forwarded solely to protect the litigant's right to appeal as required by the Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. Upon receipt of the document, kindly process it according to your Court's normal procedures. If your office has already received the same document, please disregard the enclosed copy to prevent duplication.

Pursuant to Rule 3(a)(1), Federal Rules of Appellate Procedure, a notice of appeal must be filed with the Clerk of the District Court. This Court may not act on an appeal until the notice has been docketed in the District Court and certified to this Court by the District Court Clerk.

Thank you for your assistance in this matter.

Very truly yours,

Marcia M. Waldron, Clerk

By: /s/ Chiquita Dyer  
Legal Assistant

Enclosure  
cc: Guango F. Correa (w/out enclosure)